

REMARKS/ARGUMENTS

In the Office Action mailed August 3, 2007, claims 1 – 11 were rejected. In response, Applicants have amended claims 1 and 6 and added claims 12 – 17. Applicants hereby requests reconsideration of the application in view of the amended claims, the added claims, and the below-provided remarks.

Objection to the Specification

The abstract has been replaced with a new abstract that meets the requirements of an abstract.

The Office Action suggests that section headings be added to the specification, according to the guidelines set forth in the 37 CFR 1.77(b). Applicants note that the suggested section headings are not required and, hence, Applicants respectfully decline to amend the specification to include the indicated section headings.

Paragraphs [0011] – [0014] have been amended to remove all references to the claims. Instead of referencing the claim numbers, the text has been amended to include the corresponding claim language.

The Office action suggest that in Fig. 3, reference number “6” should be reference number “7.” Applicants have carefully reviewed the specification and respectfully assert that reference number “6” is correct in Fig. 3. Applicants have amended paragraph [0033] to clarify the description of Fig. 3. The original language of paragraph [0033] recites in part “[i]n the data structure of the first memory means 5, illustrated in FIG. 3, the test memory area 7 is distributed over each of the data sectors.” That is, in the case of Fig. 3, the test memory area from Figs. 1 and 2 is now distributed over the data sectors from user memory area 6 instead of in their own separate area. Applicants respectfully assert that no changes are necessary to Fig. 3 as supported by the amendments to paragraph [0033].

Claim Rejections Under 35 U.S.C. 102

Claims 1 – 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Takayuki (JP 05-265866, hereinafter Takayuki). However, Applicants respectfully submit that these claims are patentable over Takayuki for the reasons provided below.

Claims 1 and 6

Claims 1 and 6 have been amended to particularly point out that the ambient parameter “is one of a short-wave light, an electromagnetic field, and a high temperature.” Support for this amendment is found in Applicants’ specification at, for example, paragraph [0023]. Applicants assert that Takayuki does not disclose an ambient parameter that “is one of a short-wave light, an electromagnetic field, and a high temperature” as recited in claims 1 and 6. Takayuki does disclose “data alteration from the outside etc.” Takayuki does not explain what “data alteration from the outside” may involve. More specifically, Takayuki does not disclose that “data alteration from the outside” includes an ambient parameter that “is one of a short-wave light, an electromagnetic field, and a high temperature” as recited in claims 1 and 6. Because Takayuki does not disclose an ambient parameter that “is one of a short-wave light, an electromagnetic field, and a high temperature” as recited in claims 1, Applicants assert that claim 1 is not anticipated by Takayuki.

Dependent claims 2 – 5 and 7 – 11

Claims 2 – 5 are dependent on claim 1 and claims 7 – 11 are dependent on claim 6. Applicants assert that these claims are allowable at least based on an allowable base claims. Additionally, Applicants assert that claims 3 and 8 are allowable for the reasons set forth below.

Claims 3 and 8

Claims 3 and 8 recite in part “enabling means are provided for the purpose of irreversibly enabling functioning of the detection means, and the detection means are designed to cooperate with the enabling means.” The Office action suggests that the limitations of claims 3 and 8 are disclosed by Takayuki because “checking is irreversible once it has been performed.” (Office action, page 6) Applicants point out that claims 3 and 8 recite “irreversibly enabling functioning of the detection means.” That is the enabling means irreversibly effects the functioning of the detection means. Stating simply that “checking is irreversible once it has been performed” does not teach or suggest irreversibly enabling the functioning of the detection means. Applicants agree that “checking is irreversible once it is performed” however, the irreversibility of “checking” does not disclose irreversibly enabling a detection means.

Claims 12 and 13

Claims 12 and 13 recite “wherein the detection means generates and outputs an indicator signal that provides *a perpetual indication of the modification* of the originally stored test information.” Applicants have found no such disclosure in Takayuki.

Claims 14 and 16

Claims 14 and 16 recite “wherein the ambient parameter *deletes the test information*.” Applicants have found no such disclosure in Takayuki.

Claims 15 and 17

Claims 15 and 17 recite “wherein the ambient parameter *renders the test information unusable*.” Applicants have found no such disclosure in Takayuki.

Information Disclosure Statement

The Office action states that a copy of the reference “Patent Abstract of Japan Vol. 018, No. 039” was not considered. Applicants respectfully point out that the “Patent Abstract of Japan Vol. 018, No. 039” is the translated abstract of Takayuki reference (JP 05-265866). Applicants point out that the International Search Report (ISR) for the corresponding PCT application (PCT/IB03/02022) includes the cited reference:

“PATENT ABSTRACT OF JAPAN
vol. 018, no. 039 (P-1679),
20 January 1994 (1994-01-20)
& JP 05 265866 A (CSK CORP),
15 October 1993 (1993-10-15)
abstract”

A legible copy of the Takayuki reference is now in the record and has been fully considered in the Office action dated August 3, 2007.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amended claims, the new claims, and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-3444** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-3444** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

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Date: November 4, 2007

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